

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>
<b>THIS DOCUMENT RELATES TO: WAVE 4 CASES</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

**MOTION TO EXCLUDE THE OPINIONS AND  
TESTIMONY OF SCOTT A. GUELCHER, PH.D.**

Defendants Ethicon, Inc., Ethicon, LLC, and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Scott Guelcher, Ph.D. Dr. Guelcher’s proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum in Support of Motion to Exclude the Opinions and Testimony of Scott Guelcher, Ph.D., and also the following exhibits:

<b>Exhibit</b>	<b>Description</b>
A	List of cases to which this motion applies;
B	Scott Guelcher, Ph.D. Wave 4 General Expert Report;
C	S. Crivellaro, <i>et al.</i> , “Transvaginal Sling Using Acellular Human Dermal Allograft: Safety and Efficacy in 253 Patients”, 172 J. Urology 1374-78 (2004);
D	S.L. Brown & F.E. Govier, “Cadaveric Versus Autologous Fascia Lata for the Pubovaginal Sling: Surgical Outcome and Patient Satisfaction,” 164 J. Urology 1633-37 (2000);

- E B.J. Flynn & W.T. Yap, “Pubovaginal Sling Using Allograft Fascia Lata Versus Autograft Fascia for All Types of Stress Urinary Incontinence: 2-Year Minimum Followup,” 167 J. Urology 608-12 (2002);
- F Expert Report of Brian J. Flynn, M.D. (TVT), dated December 4, 2016;
- G Expert Report of Brian J. Flynn, M.D. (Prolift), dated January 25, 2017;
- H Woodruff, *et al.*, “Histologic comparison of pubovaginal sling graft materials: a comparative study,” 72 Urology 85-89 (2008);
- I M. Albo, *et al.*, “Burch colposuspension versus fascial sling to reduce urinary stress incontinence,” 356 N. Eng. J. Med. 2143-55 (2007);
- J B. Welk, *et al.*, “Removal or revision of vaginal mesh used for the treatment of stress urinary incontinence,” JAMA Surg. (2015);
- K A. Sokol *et al.*, “One-year objective and functional outcomes of a randomized clinical trial of vaginal mesh for prolapse,” 206 Am. J. Obstet. Gynecol. 86.e1-9 (2012);
- L H. Abed, *et al.*, “Incidence and management of graft erosion, wound granulation, and dyspareunia following vaginal prolapse repair with graft materials: a systematic review,” Int. Urogynecol. J. (2011);
- M T. Yazdany & N. Bhatia, “Suture complications in a teaching institution among patients undergoing uterosacral ligament suspension with permanent braided suture,” 21 Int. Urogynecol. J. 813-18 (2010);
- N M. Toglia & M. Fagan, “Suture erosion rates and long-term surgical outcomes in patients undergoing sacrospinous ligament suspension with braided polyester suture,” 198 Am. J. Obstet. Gynecol. 600.e1-4 (2008);
- O C. Nilsson, *et al.*, “Long-term Follow-up of the TVT operation: 17 year results,” 24 Int. Urogynecol. J. Supp. S1-152, 107 (2013);
- P Svenningsten, *et al.*, “Long-term follow-up of the retropubic tension-free vaginal tape procedure,” Int. Urogynecol. J. (2013);

- Q F. Demirci, *et al.*, “Long-term results of Burch colposuspension,” 51 Gynecol. Obstet. Invest. 243-47 (2001); and
- R P. Kjolhede, “Long-term efficacy of Burch colposuspension: a 14-year follow-up study,” 84 Acta Obstet. Gynecol. Scand. 767-72 (2005).

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon’s supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon’s Motion to Exclude the Opinions and Testimony of Scott Guelcher, Ph.D.

Respectfully submitted,

ETHICON, INC., ETHICON LLC, AND  
JOHNSON & JOHNSON

/s/ Philip J. Combs

Philip J. Combs (W.Va. Bar #6056)  
THOMAS COMBS & SPANN PLLC  
300 Summers Street  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
Telephone: 304.414.1807  
pcombs@tcspllc.com

/s/ Christy D. Jones

Christy D. Jones  
BUTLER SNOW LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
Telephone: 601.985.4523  
christy.jones@butlersnow.com

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**CERTIFICATE OF SERVICE**

I certify that on April 13, 2017, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ Philip J. Combs  
Philip J. Combs (W.Va. Bar #6056)  
Thomas Combs & Spann, PLLC  
300 Summers Street, Suite 1380  
P.O. Box 3824  
Charleston, WV 25338-3824  
(304) 414-1800  
pcombs@tcspllc.com